



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

GMP
F.#2011R01661/NY-NYE-648Z

271 Cadman Plaza East
Brooklyn, New York 11201

October 9, 2013

By Hand and ECF

The Honorable Dora L. Irizarry
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Giovanni Difuccia
Criminal Docket No. 11-486 (S-1)(DLI)

Dear Judge Irizarry:

The government respectfully submits this letter pursuant to the Court's September 18, 2013 Order directing the parties to inform the Court whether a Fatico hearing is needed concerning the disputed portions of the Presentence Investigation Report ("PSR") in the above-captioned matter.

To date, the parties have been unable to reach a resolution concerning the disputed portions of the PSR, specifically paragraphs 31, 47 and 49. As such, the parties respectfully request that the Court schedule a mutually convenient date for a Fatico hearing. Defense counsel consents to this request.

Respectfully submitted,

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By: /s/
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cc: John Wallenstein, Esq. (by ECF)
Clerk of Court (DLI) (by ECF)